



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MEMORANDUM

Date: January 26, 2016

To: Robert Best, Chairman, & Members, Planning Board

From: Jillian M. Harris, AICP, Planning and Zoning Administrator

Subject: **Madi Choueiri for LaTerrasses Restaurant (applicant/owner)** – Compliance Hearing as required by conditions of Approval for a restaurant located at 480 D.W. Highway in the C-1 (Limited Commercial), Elderly and Town Center Overlay and Aquifer Conservation Districts. Tax Map 5D-3, Lot 046.

Background: As the Board may remember, the applicant was granted conditional final approval for a proposed restaurant at 480 D.W. Hwy in September 2015. Please see attached 9/17/15 Decision Letter and Minutes. One of the precedent conditions of that approval was that the applicant appears before the board for a compliance hearing after legible architectural elevations were submitted (see attached). The conditions outlined in the September 17, 2015 Decision Letter must be met before final approval is granted.

Final conditions left to be fulfilled are the following (numbered according to 9/17/15 Decision Letter):

1. Final plans to be signed by the Applicant and Property Owner; - *signature needed above PB signature block*
3. The applicant shall indicate any proposed easements on the plan, as applicable, including utility, parking and sidewalk easements. A draft copy of any proposed easements and any applicable legal documents to be submitted to the Community Development Department for review and approval by the town's legal counsel (legal review shall be performed at the applicant's expense); - *legal review currently in progress*
11. Applicant to attend a compliance hearing with the Planning Board after legible architectural elevations are submitted to Community Development;

Staff recommends that the Board determine whether the architectural elevations submitted are satisfactory and if final approval can be granted, pending the fulfillment of the above conditions.

Ec: Madi Choueiri, Applicant/Owner
Carol Miner and Fred Kelley, Building Department
Al Turner, Health Official
Ken Conaty and Jim Taylor, Wastewater Division
Kyle Fox, Deputy Director of Public Works/Town Engineer
John Manuele, Fire Marshal

Cc: Planning Board File
Correspondence